

07-09-01

r.f. A  
-1610107/06/01  
11041 U.S. PROUTILITY PATENT APPLICATION TRANSMITTAL  
(only for continuation and divisional  
applications under 37 CFR 1.53(b))

Docket No.: P-IX 4102

Prior Application Info:

Examiner: P. Gambel

Group/Art Unit: 1644

11000 U.S. PRO  
09/900590Address to: COMMISSIONER FOR PATENTS  
Box Patent Application  
Washington, D.C. 20231

23601

PATENT TRADEMARK OFFICE

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EL 857041097 US

DATE OF DEPOSIT: July 6, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED  
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INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR  
PATENTS, ATTENTION BOX PATENT APPLICATION, WASHINGTON, D.C.  
20231.

Karly Tambara

Printed Name of Person Mailing Paper or Fee

Karly Tambara

Signature of Person Mailing Paper or Fee

This is a request for filing a  
  X   continuation        divisionalapplication under 37 CFR 1.53(b), of pending prior application  
serial no. 09/016,061, filed January 30, 1998 (list only  
immediate prior application).Title: ANTI- $\alpha_v\beta_3$  RECOMBINANT HUMAN ANTIBODIES, NUCLEIC ACIDS  
ENCODING SAME AND METHODS OF USEInventor(s) (full name of each inventor): William D. Huse and  
Scott M. GlaserNo abandonment of, or termination of proceedings, has occurred in  
the above-identified prior application.

1.   X   An application based on the prior application as filed  
and containing no new matter is enclosed, consisting  
of:  
      1       page application cover sheet  
    116     pages of specification (includes claims and  
abstract)  
    13     sheets of drawing(s).
2.   X         3       pages of a copy of the oath or declaration and  
power of attorney as originally filed on  
July 2, 1998, in prior application (37 CFR  
1.63(d)), U.S. serial no. 09/016,061, filed  
January 30, 1998, is enclosed.
3.   X   A signed statement DELETING Scott M. Glaser named in  
the prior application (37 CFR 1.63(d)(2) and 1.33(b))  
is attached.
4.   X   Nucleotide and/or Amino Acid Sequence Submission is  
enclosed:  
       computer readable copy of sequence listing  
  X   A copy of the paper copy of sequence listing,  
pages 101 through 130, as previously filed on  
July 2, 1998, in prior application U.S. serial no.  
09/016,061, filed January 30, 1998  
       Sequence Statement

X   Request to Use Computer Readable Form of Sequence  
Listing From Another Application  
       Other:

5.   X   Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under item no. 2 of this form, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

6.        Enter the unentered amendment previously filed on                                  under 37 CFR 1.116 in the prior application.

7.   X   A preliminary amendment is enclosed.

8. Small entity status:

a.        A small entity statement is enclosed.

b.   X   A small entity statement was filed in prior application serial no. 09/016,061, and such status is still proper and desired.

c.        is no longer claimed.

9.   X   Amend the specification by:

       inserting before the first paragraph on page 1: or

  X   deleting the paragraph on page 1 regarding related applications and inserting therefor:

This application is a continuation of application serial no. 09/016,061, filed January 30, 1998.

✓ 10.   X   Cancel in this application original claims 2 through 79 of the prior application before calculating the filing fee. (At least one original independent claims must be retained for filing purposes.)

11. The prior application is assigned of record to IXSYS, INCORPORATED.

12. The power of attorney in the prior application is to  
Cathryn Campbell  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive, 7<sup>th</sup> Floor  
San Diego, California 92122

13.        A copy of a change in power of attorney or authorization of agent as filed in the prior application (37 CFR 1.63(d)(4)) is enclosed.

14.   X   A return receipt postcard is enclosed.

15.   X   A Patent Application Bibliographic Data Sheet is enclosed.

16.        Request for Nonpublication and Certification is enclosed.

17. Also enclosed:



Inventors: Huse and Glaser  
Docket No.: P-IX 4102  
Page 3

The filing fee is calculated below:

	NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	13-20	=	0	x	\$9 \$18	\$0
INDEPENDENT CLAIMS	2 - 3	=	0	x	\$40 \$80	\$0
MULTIPLE DEPENDENT CLAIMS ____ YES _____ X NO					\$135 \$270	\$0
BASIC FEE					\$355 \$710	\$355
TOTAL FEE						\$355

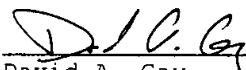
18.  X  A check in the amount of \$355.00 is enclosed. A duplicate copy of this sheet is enclosed.
19. \_\_\_\_\_ The filing fee is not enclosed. Do not charge our deposit account.
20.  X  The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Address all future communications to:

Cathryn Campbell  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive, 7<sup>th</sup> Floor  
San Diego, California 92122  
telephone: (858) 535-9001  
facsimile: (858) 535-8949  
**USPTO CUSTOMER NO. 23601**

Respectfully submitted,

Date:  July 6, 2001

  
\_\_\_\_\_  
David A. Gay  
Registration No. 39,200  
Attorney for Applicant  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122

\_\_\_\_ inventor(s)  X  attorney or agent of record  
\_\_\_\_ assignee of complete interest \_\_\_\_\_ filed under Sec. 1.34(a)

Document: Patent Application  
Bibliographic Data Sheet  
Attorney Docket No: P-IX 4102

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Karly Tambara

Printed Name of Person Mailing Paper or Fee

Karley Karf

Signature of Person Mailing Paper or Fee

Document: Copy of the Paper Copy of  
Sequence Listing Pages 101 Through  
130, as Previously Filed on  
July 2, 1998, in Prior Application  
U.S. Serial No. 09/016,061, Filed  
January 30, 1998  
Attorney Docket No: P-IX 4102

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APPLICATION, WASHINGTON, D.C. 20231.

Karyl Tambora

Printed Name of Person Mailing Paper or Fee

baileykait

Signature of Person Mailing Paper or Fee

[illegible]

Signature of Person Mailing Paper or Fee

PATENT  
Our Docket: P-IX 4102

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	) Group Art Unit: Not yet assigned
Huse and Glaser	)
	) Examiner: Not yet assigned
Serial No.: Herewith	)
	) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
Filed: Herewith	)
	) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 857041097 US
	)
For: ANTI- $\alpha_v\beta_3$ RECOMBINANT	) DATE OF DEPOSIT: July 6, 2001
HUMAN ANTIBODIES,	)
NUCLEIC ACIDS ENCODING	) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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	) UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
	) ADDRESSED TO THE COMMISSIONER FOR PATENTS, ATTENTION
	) BOX PATENT APPLICATION, WASHINGTON, D.C. 20231.

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Karly Tambara  
Printed Name of Person Mailing Paper or Fee  
Karly Tambara  
Signature of Person Mailing Paper or Fee

Sir:

**REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING**  
**FROM ANOTHER APPLICATION**

The paper copy of the Sequence Listing in the above-referenced application is identical to the computer readable copy of the Sequence Listing filed in Application Number 09/016,061, filed January 30, 1998. In accordance with 37 CFR § 1.821(e), please use the last-filed computer readable form filed in the previously filed application as the computer readable form for the above referenced application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A copy of the paper copy of the Sequence Listing was filed in prior application, U.S. Serial Number 09/016,061, under 37 CFR § 1.821 in accordance with paragraphs (f) and (g). Additionally, a paper copy is submitted herewith. The paper copy submitted herewith is identical to the paper and computer readable copies of the Sequence Listing previously submitted in the prior application, U.S. Serial Number 09/016,061.



Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

July 6, 2001

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